761551N25A - SH-AD-32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: December 21, 2006

OFFICE CORRESPONDENCE

FILE NO.

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: JOHN M. WITT, CAPTAIN
PALMDALE STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE, JUNE 26, 2006, FO2174698**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on June 26, 2006.

The Committee met on December 21, 2006 and consisted of me and Commanders Eric B. Smith (Leadership and Training Division) and Kenneth J. Brazile (Commander of the Department). The Committee determined the use of force by Deputy John Gallagher #[redacted] Deputy Grant Roth #[redacted] and Deputy [redacted] #[redacted] was within Department policy.

Please advise the deputies of this finding.

JGJ:MOT:mt

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 406-11623-2601-053	Date: 06-26-2006	Time: 1414 Hours	
Location: [redacted] Sweetbrier Street, Palmdale, Ca., 93550			
City or Station: Palmdale Sheriff's Station			
Bureau/Station/Facility: Palmdale Sheriff's Station		Admin. Investigation: YES ☐ NO ☒	

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	TWEEDY	DEBORAH	M.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	TUCKER	MARION	L.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	CLARK	DAVID	B.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	GREGG	LAWRENCE	R.

Watch Commander's Signature: [signature] Emp #: [redacted]

Copy Provided to Employee by: ______________________ Emp #: ________

Supervisor Completing Form: John W. Harris (Print) Emp #: [redacted]

Unit Commanders Signature: ______________________ Emp #: ________ Date Signed: ________

PSTD Use Only

FO# 2174698

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

See Reverse

Supervisor's Report on Use of Force

URN: 406-11623-2601-053

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S #1 WHITE	E# 1 GALLAGHER	UC	NN	
S #1 WHITE	E# 1 GALLAGHER	RS	NN	
S #1 WHITE	E# 2 ROTH	UC	NN	
S #1 WHITE	E# 2 ROTH	RS	NN	
S #1 WHITE	E# 3 [redacted]	UC	NN	
S #1 WHITE	E# 3 [redacted]	RS	NN	
E# 1 GALLAGHER	S #1 WHITE	CT	CP	SH
E# 1 GALLAGHER	S #1 WHITE	TT	FR	AK
E# 1 GALLAGHER	S #1 WHITE	PP	CP	AR
E# 2 ROTH	S #1 WHITE	CT	CP	SH
E# 2 ROTH	S #1 WHITE	TT	FR	AK
E# 2 ROTH	S #1 WHITE	PP	CP	AR
E# 2 ROTH	S #1 WHITE	PO	NN	AD
E# 3 [redacted]	S #1 WHITE	PO	NN	

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 406-11623-2601-053

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	GALLAGHER	JOHN	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W.	Palmdale Sheriff's Station	Unit 263

Shift		Age	Height	Weight
☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5' 11"	195

Medical Exam/Treatment ☐ If Admitted, Name of Hospital: ____ Coroner Case #: Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	ROTH	GRANT	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W.	Palmdale Sheriff's Station	Unit 263 E/D

Shift		Age	Height	Weight
☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	6" 01"	220

Medical Exam/Treatment ☐ If Admitted, Name of Hospital: ____ Coroner Case#: Directed Force ☐ Significant Force ☐

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W.	Palmdale Sheriff's Station	264A

Shift		Age	Height	Weight
☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5' 11"	175

Medical Exam/Treatment ☐ If Admitted, Name of Hospital: ____ Coroner Case#: Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment ☐ If Admitted, Name of Hospital: ____ Coroner Case#: Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment ☐ If Admitted, Name of Hospital: ____ Coroner Case#: Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment ☐ If Admitted, Name of Hospital: ____ Coroner Case#: Directed Force ☐ Significant Force ☐

See Other Side

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 406-11623-2601-053

Suspect Information

S1

Last Name: WHITE | First Name: VALERIE | Middle Name: YVONNE

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☒ Female | Race: Black | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 34 | Height: 5' 06" | D.O.B. 08-31-71 | Weight: 220 | Armed? ☐

Booking #: 9101221 | Primary Charge: 245(a)(1) PC | Secondary Charge: 148(a) (1) PC | Criminal History [redacted]

Hospital Admission? ☐ | Rec'd Treatment At: Antelope Valley Hospital | Coroner Case#: | Mental History ☐

Under Influence: ☐ YES ☒ NO | Substance: ______ | Photos of Suspect's Injuries ☐ YES ☒ NO

Suspect Interview

Date: 06-26-06 | Time: 1414 Hours | Audiotape: ☐ | Videotape: ☒

Suspect Information

S_

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge: | Secondary Charge: | Criminal History ☐

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case#: | Mental History ☐

Under Influence: ☐ YES ☐ NO | Substance: ______ | Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐

Suspect Information

S_

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge: | Secondary Charge: | Criminal History ☐

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case#: | Mental History ☐

Under Influence: ☐ YES ☐ NO | Substance: ______ | Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐

See Other Side

Investigative Summary

Incident: Use of Force - Fracture Ankle
URN #: 406-11623-2601-053
IAB #: FO 2174698

On June 26, 2006, at approximately 1930 hours, Sergeant John Harris of the Internal Affairs Bureau Force and Shooting Response Team, responded to Antelope Valley Hospital in the city of Lancaster. Sergeant Harris had been directed by IAB Lieutenant Don Slauson to conduct a review of the force, which resulted in a "take down," maneuver being used to overcome the actions of a hostile and resistive suspect. A delay in notification resulted from having to wait for hospital personnel to determine if the suspect had in fact sustained a fracture.

Synopsis

On June 26, 2006, at approximately 1215 hours, Deputies John Gallagher, Grant Roth and [redacted] used force while arresting Suspect Valerie White. After the arrest, Suspect White complained of pain to her left ankle which had recently healed from a fracture.

Deputy Gallagher responded to the location regarding a neighbor disturbance and was initially assisted by Deputy Tweedy. They contacted Victim [redacted] who said Suspect White had thrown an empty glass beer bottle at him while he was riding his bicycle. Victim [redacted] explained how the beer bottle landed in the street, approximately two to three feet from his bicycle and would have hit him had he not increased his speed.

Deputies Gallagher and Tweedy then contacted Suspect White at her residence. Suspect White opened the door slightly and cursed the deputies. During their conversation, she admitted to throwing the bottle, but said she had only done so because Victim [redacted] had called her a "Fucking Nigger." She then slammed the door shut on the deputies. Based on this information, and Suspect White's actions, Deputy Gallagher requested additional back up units and a video camera.

Once additional units arrived, Deputies Gallagher, accompanied by Deputies Grant and [redacted] again approached the front door of Suspect White's residence. The deputies knocked on the door several times and asked Suspect White to open the door. Without opening the door, Suspect White responded, "What the fuck do you want." She then came to the front window and slammed it closed. The deputies continued to knock on the front door.

Suspect White eventually opened the front door and deputies asked her to step outside. Suspect White stood at the doorway and refused stating, "Fuck that. I don't have to." As she tried to shut the door, Deputy Gallagher placed his foot in it and tried to grab Suspect White's right arm.

She twisted away momentarily and Deputy Gallagher grabbed at her a second time, now getting a hold of her right arm and shoulder. Deputy Gallagher then pushed Suspect White forward and downward to the floor of the residence.

As Suspect White struggled with Deputy Gallagher, Deputy Roth grabbed her left arm and pulled it behind her back. Deputy [redacted] then used his body weight to keep Suspect White from struggling further. The deputies ordered Suspect White to stop struggling, but she continued. Ultimately, the three were able to get her arms behind her back and Deputy Roth was able to handcuff her.

After the altercation, Suspect White complained of pain to her left ankle. She told the deputies that approximately one month ago doctors removed a cast from the same ankle, after she fractured it.

She was transported to Antelope Valley Hospital by Deputy Gallagher and Deputy Jennifer Phillips. Deputy Gallagher reported that Suspect White was examined by Dr. Michael Menchine. Deputy Gallagher questioned Dr. Menchine, who told them that Suspect White had re-fractured her left ankle. Dr. Menchine said the force described by the deputies should not have caused the break.

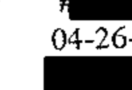
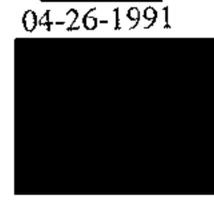
<u>Involved Personnel</u>

John Gallagher, Deputy Sheriff #[redacted], FOR I, Palmdale Sheriff's Station
Grant Roth, Deputy Sheriff #[redacted] FOR I, Palmdale Sheriff's Station
[redacted] Deputy Sheriff #[redacted] FOR I, Palmdale Sheriff's Station

<u>Work History</u>:

John Gallagher, Deputy Sheriff #[redacted] **FOR I, Palmdale Sheriff's Station**
Date of Employment: 04-12-1995
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:

Grant Roth, Deputy Sheriff #[redacted] **FOR I, Palmdale Sheriff's Station**
Date of Employment: 08-04-2004
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident: 07-21-2006
Prior Founded Force Incidents: [redacted]

[redacted] Deputy Sheriff #[redacted] **FOR I, Palmdale Sheriff's Station**

Date of Employment: 04-26-1991

Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:

Suspect

Valerie Yvonne White FB/34, DOB 08-31-71, Booking #9101-221

Suspect White was 34 years old at the time of the incident and a [redacted] Her arrest hi[redacted]

- [redacted]
-
-
-
-
-

Department Witnesses

W 1 of 4	**John Gallagher, Deputy Sheriff #**[redacted]
W 2 of 4	**Grant Roth, Deputy Sheriff #**[redacted]
W 3 of 4	[redacted] **Deputy Sheriff #**[redacted]
W 4 of 4	**Deborah Tweedy, Deputy Sheriff #**[redacted]

Injuries

Suspect White complained of pain to her left ankle, left shin and left shoulder. Suspect White was transported to Antelope Valley Hospital in Lancaster where she was examined and treated by Emergency Room Doctor Menchine. Doctor Menchine stated Suspect White's left ankle was fractured and it appeared to be in the same location as the previous break. He said the force described by the deputies should not have caused the break.

> **IAB NOTE:** The suspect told Deputy Gallagher, "her leg just came out of the cast" and that "her leg was already injured." **Refer to Exhibit D**, for additional information.

No deputies were injured.

Physical Evidence

Physical evidence was collected from the location by patrol personnel which consisted of broken shards of glass, brown in color, with a "Natural Ice" beer label. Empty beer bottle, "Natural Ice," one quart size (intact). **Refer to Page 3, of the Incident Report** prepared by Deputy Gallagher under this file number for further information.

Investigator Observations

Due to the delay in determining that the suspect had suffered a fracture, the scene was released prior to IAB investigators being notified.

> **IAB NOTE:** The arrest of the suspect was recorded on video, which adequately depicts the location. **Refer to Exhibit D**, for additional information.

Weapons Used by Involved Deputies
No weapons were used.

Weapon Used by the Suspect
Suspect White offered physical resistance only, no weapons were used.

Property Damage
No property damage reported.

Charges Filed
The original misdemeanor charge of 245(a)(1) P.C. was plead down to 415 (1) P.C. The suspect received time served for 2 days and was placed on summary Probation from 06-29-06 through 06-28-09.

Lighting and Weather Conditions
The incident occurred at approximately 1215 hours, during daylight hours, and inside of the suspect's single story residence. The weather outside was hot, dry and clear.

Employee Statements
The narrative which follows is a synopsis of information obtained from the Incident Report and Supplemental Reports prepared by the involved deputies. Additional information may be obtained by reviewing the attached reports and reviewing the video of the arrest, which documents the incident from the "knock and notice," to the suspect being placed in the back seat of the radio car.

Involved Employee Statements
John Gallagher, Deputy Sheriff #[redacted]
Grant Roth, Deputy Sheriff #[redacted]
[redacted] Deputy Sheriff #[redacted]

John Gallagher, Deputy Sheriff #[redacted]
Deputy Gallagher said he and Deputy Deborah Tweedy responded to the location [redacted] Sweetbrier Street, after receiving a neighbor disturbance call. Deputy Gallagher said Deputy Tweedy was his assisting unit.

Deputy Gallagher said they contacted the victim [redacted] MM/13, who told them that the suspect (later identified as Valerie White) had thrown an empty beer bottle at him. Victim [redacted] said he was in his front yard riding his bicycle and stopped in his driveway to check for traffic. While stopped, he heard Suspect White yell at him, "What the fuck are you looking at?" The victim said he ignored the suspect and began to ride his bicycle eastbound on Sweetbrier Street.

The victim said Suspect White followed behind him on foot. The victim said he turned around to go back home and saw the suspect had picked up one of two large empty beer bottles, which had been left in the gutter. The victim said the suspect then threw the beer bottle directly at him. The victim said he had to peddle his bike faster to avoid being struck by the bottle.

The victim said that if he hadn't increased his speed, the bottle would have stuck him in the back. The victim said he didn't see anyone else on the street and that he did nothing to provoke the suspect. The victim then pointed out the broken glass from the thrown beer bottle, which was east of his home.

Deputy Gallagher said he contacted the victim's parents, who told him they did not witness the incident. The victim's parents told Deputy Gallagher they are verbally harassed by the suspect and they can't go out in their own front yard without the suspect yelling obscenities at them.

Deputy Gallagher said he and Deputy Tweedy contacted Suspect White at the front door of her residence. Deputy Gallagher said the suspect was hostile toward them and began cursing loudly and refused to step out or open her door completely. Deputy Gallagher said the suspect admitted to throwing the bottle down onto the street and said Victim [redacted] had called her a "Fucking Nigger." Deputy Gallagher said the suspect then slammed the door shut as they stood on the porch.

Deputy Gallagher said that due to the suspect's belligerent behavior they requested a video camera and back up units to respond to their location. Deputy Gallagher said Deputy [redacted], Deputy Rodney Huff and Deputy Grant Roth responded.

Deputy Gallagher said they again approached the house, with Deputy Tweedy documenting the events with a video camera, **refer to Exhibit D.** Deputy Gallagher said he knocked on the door a couple of times and heard Suspect White yell out, "What the fuck do you want?" Deputy Gallagher said Suspect White continued to yell and curse, slamming the windows, as she opened and closed them. Deputy Gallagher said Suspect White refused his commands to open the door and step outside.

Deputy Gallagher said Suspect White eventually came to the front of the house and opened the door approximately 3/4 of the way. Suspect White was talking on the phone, as she stood leaning against the interior portion of the door frame with her right shoulder. Suspect White stood just inside of the door's threshold and again refused to step out. Deputy Gallagher said he placed his foot inside of the door, preventing the suspect from closing the door. **Refer to Exhibit D, Photographs captured from video of the arrest.**

Deputy Gallagher said he stepped inside to grab Suspect White's arm, but she twisted her body away from him. Deputy Gallagher said he took hold of her right arm and shoulder and by pushing and pulling her, he was able to force her to the ground. Deputy Gallagher said that Deputy Roth was able to gain control over her left arm and place it behind the suspect's back. Deputy Gallagher said Deputy [redacted] helped to restrain Suspect White on the floor, by placing his boot on her back, so that she couldn't get off the floor.

Deputy Gallagher said numerous verbal commands were given to Suspect White to stop fighting and to place her arms behind her back. Deputy Gallagher said Suspect White refused to comply and attempted to free herself by twisting and turning her body, while holding her right arm at her side.

Deputy Gallagher said he was able to pull the suspect's right arm behind her back and hold it in place, until Deputy Roth was able to place the handcuffs on her. Deputy Gallagher said they held Suspect White on the floor until she calmed down and agreed to comply with their instructions. Deputy Gallagher said the suspect was then allowed to sit up and was escorted outside. Deputy Gallagher said the suspect continued to be uncooperative. However, no additional force was required.

Deputy Gallagher said after the incident, Sergeant Marion Tucker #[redacted] responded to the location and was advised of the use of force. After her arrest, Suspect White complained of pain to her left ankle and shin. Deputy Gallagher said Suspect White told him she recently had a cast removed from her left leg, after breaking it.

Deputy Gallagher said Los Angeles County Fire Paramedics from Station 37 under Captain Weginer responded and provided initial medical treatment.

Suspect White was then transported to Antelope Valley Hospital Medical Center for treatment. Deputy Gallagher reported that the suspect was examined by Doctor Manchine, who determined that Suspect White's injury was a re fracture of her left ankle. **Refer to Exhibit A, Incident Report by Deputy Gallagher for additional information.**

Deputy Gallagher was asked if there was some urgency in taking the suspect into custody, as opposed to submitting a report and obtaining a warrant. In a recorded interview, Deputy Gallagher said the arrest of Suspect White was based on his belief that a felony had in fact been committed, which was supported by physical evidence and her statements. Deputy Gallagher said the urgency in arresting the suspect was due to the following :

- The suspect and victim [redacted] from each other.
- The suspect was outside of her residence and appeared to stare at them, as he spoke to the victim.
- Statement by the victim's parents, of on going harassment by the suspect.
- The victim's age, couple with the potential of a serious injury.
- The suspect being uncooperative, hostile and angered by their presence.
- Prior contacts with the suspect, who was uncooperative.
- The belief the situation would escalate as soon as they left.

Refer to the recorded interview of Deputy Gallagher for additional information.

Grant Roth, Deputy Sheriff #[redacted]

Deputy Roth said that he and his partner, Deputy Rodney Huff assisted Unit 263, Deputy Gallagher in the arrest of Suspect White. Deputy Roth said upon their arrival they formulated a plan to arrest the suspect. Deputy Roth said the suspect refused to open the door and responded by yelling, "What the fuck you want" and "I ain't opening no fuckin' door."

Deputy Roth said Deputy Gallagher knocked on the door numerous times and ordered the suspect to step outside. Deputy Roth said the suspect finally opened the door and stood inside of the threshold. Deputy Gallagher again ordered the suspect to come out and she refused and tried to close the door. Deputy Roth said that Deputy Gallagher stuck his foot in the door, preventing the suspect from closing the door. Deputy Roth said Deputy Gallagher then pushed the door open and attempted to grab the suspect's shoulder. However the suspect pulled back, dragging Deputy Gallagher into the living room.

Deputy Roth said the suspect began flailing her arms, as she attempted to strike Deputy Gallagher. Deputy Roth said he stepped forward, delivering a knee strike to the suspect's left mid section. Deputy Roth said the suspect hunched over and he was able to gain control of the suspect's left arm and hold it behind her back. Deputy Roth said Deputy Gallagher grabbed the suspect's right arm as they forced her to the ground.

Deputy Roth said Deputy Gallagher gave the suspect several commands to stop fighting and to put her hands behind her back. Deputy Roth said when the suspect refused to comply, he delivered a knee strike to the suspect's left mid section with his right knee. Deputy Roth said that Deputy Gallagher was then able to gain control of the suspect's right arm and handcuff her.

Deputy Roth said after they handcuffed the suspect, they attempted to sit her up and she again started to resist. Deputy Roth said they pushed the suspect back down and onto her stomach until she agreed to cooperate. After the suspect agreed to stop resisting, they assisted her in standing. Deputy Roth said Suspect White was then escorted outside and placed in the back seat of a radio car, without further incident. **Refer to Exhibit A, Supplemental Report by Deputy Roth for additional information.**

[redacted] Deputy Sheriff #[redacted]

Deputy Lindsay said he responded to the location after Deputy Tweedy requested his assistance in arresting Suspect White. Deputy [redacted] said at the location, he was told Suspect White was a large female, weighing approximately 300 pounds and, in past, she had been uncooperative.

Deputy [redacted] said they formed a plan and assigned duties. He said Deputy Roth and Deputy Gallagher would be the arrest team, and Deputy Roth was also assigned to use the O.C. spray if necessary. Deputy [redacted] said Deputy Huff was responsible for the radio and Deputy Tweedy was to video tape the incident. Deputy [redacted] said he was responsible for the Taser.

Deputy [redacted] then substantiated statements made by the assisting deputies as to how they entered the suspect's residence. Deputy [redacted] said he was uncertain if the suspect dropped to the floor on her own or if Deputy Roth and Gallagher forced her to the ground.

Deputy [redacted] said he gave several commands for the suspect to stop fighting and he threatened to deploy the Taser if she continued to struggle. Deputy [redacted] said Suspect White was using her strength and weight to keep from being handcuffed.

Deputy [redacted] said he did not deploy the Taser for fear of hitting either Deputy Roth and/or Deputy Gallagher and that Deputy Gallager put his O.C. spray away when he grabbed for the suspect. Deputy [redacted] said that there were also three small children in the room, that would have been effected by the spray.

Deputy [redacted] said during the struggle, he placed his knee on the suspect's back, in order to help restrain her. **Refer to Exhibit A, Supplemental Report by Deputy [redacted] for additional information.**

<u>Department Witness</u>

Deborah Tweedy, Deputy Sheriff #[redacted]

Deputy Tweedy said she assisted Deputy Gallagher, Unit 263, on a neighbor disturbance call at [redacted] Sweetbrier Place. Deputy Tweedy said upon contacting Suspect White, she was irate, appeared to be highly agitated and responded angrily to their questions.

Deputy Tweedy said Suspect White admitted to throwing a beer bottle, but only to get Victim [redacted] "the hell outta the fuckin' way." Deputy Tweedy said they told Suspect White they would be back, after they re-contacted her [redacted] Deputy Tweedy said the suspect then slammed the door shut. Deputy Tweedy said they found glass from the broken beer bottle in the street, where Victim [redacted] said it would be.

Deputy Tweedy said she had received prior calls for service at the location and found the suspect to be highly agitated and extremely uncooperative when dealing with law enforcement. Deputy Tweedy said she believed the suspect would continue to be uncooperative and requested that the field sergeant, Sergeant Hudson (260SD) respond to their location. Deputy Tweedy said Sergeant Hudson told her, that he was unable to respond, due to another incident.

> **IAB NOTE**: Sergeant Hudson was involved in the investigation of a "Use of Force, Head Strike," which involved an off-duty Sheriff's' sergeant.

Deputy Tweedy said she then typed a message to the Palmdale Watch Sergeant on her MDT and received a reply that the watch sergeant was not logged on. Deputy Tweedy said that she then typed a message to the desk and requested that the extra video recorder kept in the sergeant's office be sent out.

Deputy Tweedy said that after the video camera was delivered, they formulated a plan and again approached the suspect's house. Deputy Tweedy said she operated the video camera and Deputy Gallagher, Deputy Rodney Huff, Deputy [redacted] and Deputy Grant Roth, eventually entered the suspect's house. Deputy Tweedy said Deputy Huff secured the hallway and was not involved in the use of force. **Refer to Exhibit A, Supplemental Report by Deputy Huff for additional information.**

Deputy Tweedy corroborated the statements made by Deputy Gallagher regarding the use of force. **Refer to Exhibit A, Supplemental Report by Deputy Tweedy for additional information.**

> **IAB NOTE:** Deputy Tweedy video recorded the staging of the deputies, the entry, the arrest of the suspect, the detention of the suspect in the back seat of the radio car and the interview of the suspect by Sergeant Tucker. **Refer to Exhibit D**, for additional information.

Suspect White's Statements

While handcuffed in the back seat of the radio car, Suspect White was interviewed by Sergeant Tucker.

> Suspect White said "she had just returned home, after getting gas for her car. She said, the [redacted] Victim [redacted] and another guy that stays at [redacted]ame across on their bikes behind her. The boy came first, followed by the man, who messed around and called me and my kids a "nigger." I threw a bottle in the street, but I didn't throw it at them."

Suspect White denied being involved in any altercation with the deputies and stated that nothing had happened. When asked if she was injured, Suspect White complained of pain to her arm and to her leg. Sergeant Tucker continued to question her as to how the injuries had occurred.. Suspect White said deputies had twisted her arm and hit her leg. She then said she hit her leg on something and finally said she didn't know how her leg was injured.

Suspect White was contacted in the Emergency Room of Antelope Valley Hospital by Sergeant Harris. Sergeant Harris explained his purpose for being there and the nature of the administrative inquiry. Suspect White was asked if she had previously fractured her ankle and she said "yes." She was then asked how long ago had the break occurred and she said, "It was already healed and you broke it again." Suspect White then said to contact her attorney, she had nothing else to say.

IAB NOTE: Due to Suspect's White request that her attorney be contacted, she was not asked to sign an "Authorization for Release of Medical Information Form."

Sergeant Harris then attempted to contact Doctor Menchine to obtain a recorded statement. Sergeant Harris was told that Doctor Manchine was not available, that he had left the emergency room after completing his shift.

Miscellaneous Statements

A review of the recorded video tape **(Exhibit D)** provided the following time line:

- Entry is made into the residence, approximately 3 minutes after deputies begin knocking on the door.
- Approximately 4 seconds later, the suspect is on the ground.
- Approximately 2 minutes later, the suspect is handcuffed and allowed to sit up.
- Approximately 2 ½ minutes later, the suspect is forced back to the ground.
- Approximately 2 minutes later, the suspect is assisted to her feet.
- Approximately 4½ minutes from the time deputies entered the suspect's residence, the suspect is escorted out of her house.

IAB NOTE: The force articulated by the involved deputies is consistent with their actions as depicted in the video.

Suspect White was secured in the back of the radio car, with the video camera running and pointed toward the rear seat. In the video, Deputy Gallagher is seen exiting the patrol car. Suspect White, looking forward, begins yelling profanities in Spanish, calling some one a "whore." Suspect White then yells, "It's not over bitch, your dead."

IAB NOTE: The person that Suspect White is directing her anger at is not seen in the video.

Later on, Deputy Gallagher returned to the car. Suspect Whit questions him as to why she is going to jail and not the person that called her a "Nigger." Suspect White then said, he should go to, "It's like mutual combat."